REMARKS

Examiner's Interview

Applicants note with appreciation the interview granted by the Examiner on September 24, 2001.

Status Of Application

Claims 1-31 were pending in the application. The status of the claims is as follows:

Claims 1, 6, 9, 13, 14, 19, 22, 26, and 28 are rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 5,649,244 to Sato et al (hereinafter "the Sato patent"), in view of U.S. Patent No. 5,929,862 to Barkans (hereinafter "the Barkans patent").

Claims 2, 3, 7, 8, 10-12, 15, 16, 20, 21, 23-25, and 27 are rejected under 35 USC § 103(a) as being unpatentable over the Sato patent and the Barkans patent, as applied to claims 1 and 14, and further in view of U.S. Patent No. 5,999,708 to Kajita (hereinafter "the Kajita patent").

Claims 4, 5, 17, 18, and 29-31 are rejected under 35 USC § 103(a) as being unpatentable over the Sato patent and the Barkans patent, as applied to claims 1 and 14, and further in view of U.S. Patent No. 5,987,535 to Knodt et al. (hereinafter "the Knodt patent").

35 U.S.C. § 103(a) Rejections

The rejection of claims 1, 6, 9, 13, 14, 19, 22, 26, and 28 under 35 U.S.C. § 103(a), as being unpatentable over the Sato patent in view the Barkans patent, is respectfully traversed based on the following.

The Sato patent shows a camera with a plurality of operational modes. The camera also includes a display device (50) that displays the status of these modes as well as other information. Display device 50 includes several color filters overlaid on the display device (layer 54 in figure 4, which corresponds to regions 5401, 5402,

5403, 5404, 5408, 5410, 5411, and 5415 in figure 5). These color filters are positioned over elements of the display corresponding to different operational characteristics and are coordinated with the colors of the buttons in section 20 (column 9, lines 40-56). These color filters are permanently fixed. They do not and cannot change in response to any signal

The Barkans patent shows a graphical display system for a computer. The portion of Barkans cited in the rejection shows that a color signal may be contained in digital memory to control the color on a display device, in this case a computer monitor.

In contrast to the prior art, Claim 1 includes:

> a display device for displaying information, the display device displaying information in a plurality of colors in response to a color display signal; and
> control means for determining the operational mode of the image forming apparatus and providing a color display signal to the display device in response to the operational mode to control the color to be displayed on said display device.

The cited prior art does not show or suggest a "display device displaying information in a plurality of colors in response to a color display signal ... and providing a color display signal to the display device in response to the operational mode." This "color display signal" enables the color of a portion or all of the display device may be *changed* in response to the operational mode of the apparatus.

The rejection replies to this argument by stating "Sato, et al. clearly teach a display unit in which the different operation modes are displayed in different colors." However, that is not what is claimed. Claim 1 includes a "color display signal in response to the operational mode" that controls "the color to be displayed on said display device." All of the color elements of the display of the Sato patent are fixed, permanent and cannot be changed (See Figures 5 and 12). It would be illogical to provide a "color display signal" with the device of the Sato patent because the color elements are fixed and cannot be changed. Any color display signal that may be

provided would have no effect. In addition, the display of "different operation modes ... in different colors" in no way suggests that a color be changed in response to different modes.

It is not relevant to the invention of claim 1 that the system of the Sato patent displays different operational modes in different colors because the system of the Sato patent provides the different colors in a completely different manner than the apparatus of claim 1. That is, the system of the Sato patent uses permanent, fixed colored areas overlaying the display while the invention of claim 1 uses a "color display signal" for "displaying information in a plurality of colors in response to a color display signal." There is no suggestion in any of the cited references to change a color in response to the operational mode of an imaging device. To present a *prima facie* case of obviousness, all claim limitations must be taught or suggested. MPEP § 2143.03. There is no suggestion in the Sato patent of a "color display signal" for "displaying information in a plurality of colors in response to a color display signal." In addition, the Barkans patent cannot be combined with the Sato patent to suggest use of a color display signal because the use of such a signal is contrary to the principal of operation of the system of the Sato patent, which uses permanent, fixed, colored areas. A color display signal has no effect on inert plastic color filters.

> If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. MPEP § 2143.01.

Thus, claim 1 is not obvious over the cited prior art. "If an independent claim in nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." MPEP §2143.03. Therefore, claim 1 and dependent claims 6 and 9 are patentably distinct from the prior art.

Similarly, Claim 13 includes:

> a display device, the display device displaying information regarding the operation of the image forming apparatus and the display device displaying a plurality of colors in response to a display color

signal; and

control means for determining at least one operational characteristic of the image forming apparatus and providing an information display signal to the display device causing the display device to display information indicating a status of the operational characteristic and the control means providing the display color signal in response to determining the operational mode of the image forming section.

As explained with regard to Claim 1, the cited prior art does not show or suggest the use of a "display device ... displaying a plurality of colors in response to a display color signal ... color signal" and "providing the display color signal in response to determining the operational mode." Therefore, claim 13 is patentably distinct from the prior art.

Claim 14 includes:

a display device for displaying information, the display device displaying information in a plurality of colors in response to a color display signal; and

control means for determining the operational mode of the image processing device and providing a color display signal to the display device in response to the operational mode to control the color to be displayed on said display device.

As explained with regard to Claim 1, the cited prior art does not show or suggest the use of a "display device displaying information in a plurality of colors in response to a color display signal ... and providing a color display signal to the display device in response to the operational mode." Therefore, claim 14 is patentably distinct from the prior art. Because claim 14 is nonobvious, claims 19 and 22 are also patentably distinct from the prior art.

Claim 26 includes:

a display device, the display device displaying information regarding the operation of the image processing device and the display device displaying a plurality of colors in response to a display color signal; and

control means for determining at least one operational characteristic of the image processing device and providing an

information display signal to the display device causing the display device to display information indicating a status of the operational characteristic and the control means providing the display color signal in response to determining the operational mode of the image processing section.

As explained with regard to Claim 1, the cited prior art does not show or suggest the use of a "display" for "displaying a plurality of colors in response to a display color signal ... indicating the status of the operational characteristic." Therefore, claim 26 is patentably distinct from the prior art. Because claim 26 is nonobvious, claim 28 is also patentably distinct from the prior art. Therefore, claim 28 is patentably distinct from the prior art.

Accordingly, it is respectfully requested that the rejection of claims 1, 6, 9, 13, 14, 19, 22, 26, and 28 under 35 U.S.C. § 103(a), as being unpatentable over the Sato patent in view of the Barkans patent, be reconsidered and withdrawn.

The rejection of claims 2, 3, 7, 8, 10-12, 15, 16, 20, 21, 23-25, and 27 under 35 U.S.C. § 103(a), as being unpatentable over the Sato patent and the Barkans patent, as applied to claims 1 and 14, and further in view of the Kajita patent, is respectfully traversed based on the following.

The Kajita patent describes a system using two way communication from a scanning/copier device and computers connected to the device via a data network. Kajita does not show or suggest the use of color in a display. The Kajita patent does not provide any teaching that overcomes the deficiencies of the Sato patent and the Barkans patent with regard to claim 1. As is shown above, claim 1 is nonobvious over the cited prior art. Thus, claims 2, 3, 7, 8, and 10-12, which depend from claim 1, are also nonobvious. MPEP §2143.03.

The Kajita patent does not provide any teaching that overcomes the deficiencies of the Sato patent and the Barkans patent with regard to claim 14. As is shown above, claim 14 is nonobvious over the cited prior art. Thus, claims 15, 16, 20, 21, 23-25, which depend from claim 14, are also nonobvious. MPEP §2143.03.

The Kajita patent does not provide any teaching that overcomes the deficiencies of the Sato patent and the Barkans patent with regard to claim 26. As is shown above, claim 26 is nonobvious over the cited prior art. Thus, claim 27, which depends from claim 26, is also nonobvious. MPEP §2143.03.

Accordingly, it is respectfully requested that the rejection of claims 2, 3, 7, 8, 10-12, 15, 16, 20, 21, 23-25, and 27 under 35 U.S.C. § 103(a), as being unpatentable over the Sato patent and the Barkans patent, as applied to claims 1 and 14, and further in view of the Kajita patent, be reconsidered and withdrawn.

The rejection of claims 4, 5, 17, 18, and 29-31 under 35 U.S.C. § 103(a), as being unpatentable over the Sato patent and the Barkans patent, as applied to claims 1 and 14, and further in view of the Knodt patent, is respectfully traversed based on the following.

The Knodt patent shows a display for a multi-mode device that provides an animated indicator to show device activity. Active connections are darkened to indicate that activity (column 4, lines 45-59). Knodt does not show or suggest the use of color in a display. The Knodt patent does not provide any teaching that overcomes the deficiencies of the Sato patent and the Barkans patent with regard to claim 1. As is shown above, claim 1 is nonobvious over the cited prior art. Thus, claims 4 and 5, which depend from claim 1, are also nonobvious. MPEP §2143.03.

The Knodt patent does not provide any teaching that overcomes the deficiencies of the Sato patent and the Barkans patent with regard to claim 14. As is shown above, claim 14 is nonobvious over the cited prior art. Thus, claims 17 and 18, which depend from claim 14, are also nonobvious. MPEP §2143.03.

Claim 29 includes:

> a display device, the display device displaying information regarding the operation of the image processing device and the display device displaying a plurality of colors in response to a display color signal; and
>
> control means for determining at least one operational

> characteristic of the image processing device and providing an information display signal to the display device causing the display device to display information indicating a status of the operational characteristic and the control means providing a display color signal of a first value in response to the image processing section being in the first operational mode, a display color signal of a second value in response to the image processing section being in the second operational mode and a color display signal of a third value in response to the image processing section being in the third operational mode.

As explained with regard to Claim 1, the cited prior art does not show or suggest the use of a "display device" for "displaying a plurality of colors in response to a display color signal ... a first value in response to the image processing section being in the first operational mode, a display color signal of a second value in response to the image processing section being in the second operational mode and a color display signal of a third value in response to the image processing section being in the third operational mode." Therefore, claim 29 is patentably distinct from the prior art. Because claim 29 is nonobvious, claims 30 and 31 are patentably distinct from the prior art. Therefore, claim 29 and dependent claims 30 and 31 are patentably distinct from the prior art.

Accordingly, it is respectfully requested that the rejection of claims 4, 5, 17, 18, and 29-31 under 35 U.S.C. § 103(a), as being unpatentable over the Sato patent and the Barkans patent, as applied to claims 1 and 14, and further in view of the Knodt patent, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due.

However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood's Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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